

Committee Agenda

Committee: House Appropriations
Room: LCR1
Date: Friday, February 19, 2010
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1225](#) **provide for a process to limit state government spending.**
Representatives Sorenson and Hunhoff (Bernie) and Senators Heidepriem, Abdallah, and Merchant

[HB 1261](#) **provide for the adjustment of appropriated moneys to projected available revenues.**
Representatives Faehn, Noem, and Rave and Senators Knudson, Dempster, and Gray

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[HB 1258](#) **authorize grants and loans from the revolving economic development and initiative fund to certain venture capital funds and to establish a certification process for capital venture funds and for businesses seeking financial assistance from these capital venture funds.**
Representatives Krebs, Brunner, Cronin, Curd, Faehn, Olson (Ryan), Putnam, and Turbiville and Senators Vehle, Abdallah, Ahlers, Nelson, Tieszen, and Turbak Berry

LARRY TIDEMANN, Chair

85th Legislative Session – 2010

Committee: House Commerce

Friday, February 19, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Conzet
P Fargen
P Greenfield
P Jensen
P Kirschman
E Krebs
P Novstrup (David)
P Nygaard
P Pitts
P Solberg
P Solum, Vice-Chair
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Rounds.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 17, 2010

Moved by: Solum
Second by: Conzet
Action: Prevailed by voice vote.

HB 1251: provide for delivery of alcoholic beverages to the consumer by certain off-sale and package retailers.

Presented by: Representative Eldon Nygaard

MOTION: TO TABLE HB 1251

Moved by: Fargen
Second by: Greenfield
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Kirschman, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Excused: Jensen, Krebs

MOTION: RECONSIDER HB 1155

Moved by: Greenfield
Second by: Fargen
Action: Prevailed by voice vote.

MOTION: ADD HB 1155 TO AGENDA

Moved by: Solum
Second by: Pitts
Action: Prevailed by voice vote.

HB 1155: require the registration of certain anemometer towers used for wind energy testing purposes and to declare an emergency.

Presented by: Representative Jason Frerichs

THE CHAIR DEFERRED HB 1155 UNTIL FEBRAURY 22, 2010

HB 1138: create certified technology parks and to provide certain financing mechanisms and bonding authority to enhance knowledge and tech-based economic development.

Presented by: Representative Deb Peters
Proponents: Teresa McKnight, Self, Brookings
Gregory Deason, Self, Indiana
Al Kurtenbach, Self, Brookings
Opponents: Lorin Pankratz, Sanford Health
Dave Hewett, SD Association of Healthcare Organizations
Gary Johnson, Board of Regents
James Abbott, USD

THE CHAIR DEFERRED HB 1138 UNTIL AFTER HEARING OF HB1018

Chair passed gavel to Vice Chair.

HB 1018: revise certain provisions regarding unemployment insurance benefit eligibility of part-time workers and to provide additional unemployment insurance benefits to workers attending approved training.

Presented by: Pam Roberts, Secretary, Department of Labor
Proponents: David Owen, SD Chamber of Commerce & Industry
Paul Aylward, SD AFSCME 59 Dakotas Public Employees Union
Mark Anderson, State Federation of Labor AFL-CIO, SD

MOTION: DO PASS HB 1018

Moved by: Rounds
Second by: Pitts
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Excused: Krebs

Vice Chair pass gavel to Chair.

HB 1138: create certified technology parks and to provide certain financing mechanisms and bonding authority to enhance knowledge and tech-based economic development.

Presented by: Representative Deb Peters

MOTION: AMEND HB 1138

1138sb

On page 3, line 19, of the printed bill, delete "agency" and insert "or a private nonprofit entity".

On page 3, line 20, delete "agency" and insert "or a private nonprofit entity".

On page 3, line 24, before "property" insert "or a private nonprofit entity".

On page 4, line 11, after "public" insert "or a private nonprofit".

On page 4, between lines 17 and 18, insert:

"

- (7) "Private nonprofit entity," any entity whose primary purpose is for a high technology activity focused on conducting and stimulating research, knowledge, and tech-based economic development;".

On page 4, line 18, delete "(7)" and insert "(8)".

On page 5, line 2, delete "No".

On page 5, delete lines 3 to 24, inclusive.

On page 6, delete lines 1 to 24, inclusive.

On page 7, delete lines 1 to 21, inclusive.

On page 9, line 15, delete "and the Legislature".

On page 9, line 16, after "public" insert "or private".

On page 9, delete lines 17 to 21, inclusive.

On page 14, line 8, after "public" insert "and private".

On page 14, line 11, after "public" insert "and private".

On page 14, line 16, after "public" insert "or private".

On page 14, line 20, after "public" insert "or private".

On page 14, line 22, after "public" insert "or private".

On page 15, line 3, after "public" insert "and private".

On page 15, line 13, after "public" insert "or private".

On page 15, line 16, after "public" insert "and private".

On page 15, line 20, after "public" insert "and private".

On page 16, line 4, delete "(9)" and insert "(10)".

On page 16, line 6, delete "(10)" and insert "(11)".

Moved by: Conzet
Second by: Pitts
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1138 AS AMENDED

Moved by: Pitts
Second by: Jensen
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1138 UNTIL FEBRUARY 22, 2010

Moved by: Greenfield
Second by: Kirschman
Action: Prevailed by voice vote.

Chair passed gavel to Vice Chair.

HB 1267: create a new malt beverage retailer licenses that has certain membership and age requirements.

Presented by: Representative Tim Rounds
Opponents: Art Mabry, SD Chief of Polices

THE CHAIR DEFERRED HB 1267 UNTIL FEBRUARY 22, 2010

Vice Chair passed gavel to Chair.

MOTION: ADJOURN

Moved by: Solum
Second by: Fargen
Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Tim Rounds, Chair

REVISED Committee Agenda

Committee: House Education
Room: 413
Date: Friday, February 19, 2010
Time: **7:45 AM**

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1224](#) **impact the South Dakota opportunity scholarship program.**
Representatives Sly, Gosch, and McLaughlin and Senator Maher

[HB 1240](#) **create the South Dakota need-based grant fund, to provide for the transfer of certain unclaimed lottery prize money to the need-based grant fund, to provide for the awarding of certain need-based grants, and to repeal provisions relating to tuition equalization grants.**
Representatives Hunhoff (Bernie) and Faehn and Senators Knudson and Heidepriem

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ED MCLAUGHLIN, Chair

Committee Agenda

Committee: House Judiciary
Room: 413
Date: Friday, February 19, 2010
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1154](#) **require written incident notice from law enforcement to a juvenile's school under certain circumstances.**

Representatives Bolin, Hamiel, Jensen, Kopp, Lucas, Moser, Schlekeway, Sly, Sorenson, Steele, Van Gerpen, and Verchio and Senators Peterson and Maher

[HB 1159](#) **permit permanent residents of the United States to be employed or certified as law enforcement officers.**

Representatives Lederman and Bolin and Senator Tieszen

[HB 1201](#) **provide that certain tax laws applicable on December 31, 2009, apply to certain wills and trusts that refer to federal estate and generation-skipping transfer tax laws, and to declare an emergency.**

Representatives Lust, Boomgarden, Hunt, McLaughlin, Moser, Novstrup (David), Peters, and Rausch and Senators Dempster, Adelstein, Knudson, and Turbak Berry

[HB 1228](#) **establish an ancillary standard in determining the best interests of a child.**

Representatives Engels, Blake, Gibson, Hamiel, Kirkeby, Krebs, Lust, Moser, Noem, Schlekeway, Steele, and Turbiville and Senators Bradford, Abdallah, Bartling, Peterson, Schmidt, Tieszen, Turbak Berry, and Vehle

[HB 1229](#) **adopt the Uniform Real Property Transfer on Death Act.**

Representatives Deadrick and Lust and Senators Turbak Berry and Knudson

[HB 1250](#) **provide that ordinances or amendments may not have a retrospective application.**

Representatives Verchio, Feickert, Frerichs, Kopp, Olson (Betty), and Schrempp and Senators Schmidt and Howie

[HB 1254](#) **permit the assignment of certain funeral benefits.**

Representatives Hoffman, Bolin, Greenfield, Hamiel, Kirkeby, Kopp, Krebs, Moser, Romkema, and Turbiville and Senators Gant, Brown, and Hundstad

[HB 1256](#) **revise certain provisions regarding the enforcement of the requirement to wear a seat belt in a motor vehicle.**

Representatives Cutler, Engels, Hunhoff (Bernie), and Tidemann and Senators Dempster, Heidepriem, Jerstad, and Vehle

[HB 1272](#) **revise certain provisions regarding paternity and termination of parental rights.**

Representatives Hunt, Bolin, Brunner, Fargen, Feickert, Frerichs, Greenfield, Hoffman, Jensen, Kirkeby, Kirschman, Olson (Betty), Russell, Schlekeway, Solum, Steele, and Verchio and Senators Howie, Abdallah, Bartling, Fryslie, Kloucek, Maher, and Peterson

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

Committee Agenda

Committee: House State Affairs
Room: 414
Date: Friday, February 19, 2010
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1186](#) **prohibit certain regulated entities from providing financial support for events involving the Public Utilities Commission.**

Representatives Vanderlinde, Fargen, Feinstein, Frerichs, Kirkeby, and Solberg and Senators Heidepriem, Bradford, Hundstad, Kloucek, Maher, Merchant, and Nesselhuf

[HB 1142](#) **prohibit campaign contributions to candidates for the Public Utilities Commission by certain persons or entities associated with regulated entities.**

Representatives Feinstein, Blake, Burg, Dennert, Elliott, Engels, Fargen, Feickert, Frerichs, Gibson, Hunhoff (Bernie), Iron Cloud III, Killer, Kirschman, Lange, Lucas, Nygaard, Solberg, Sorenson, Street, Thompson, Vanderlinde, and Wismer and Senators Heidepriem, Ahlers, Bartling, Bradford, Hanson (Gary), Hundstad, Jerstad, Kloucek, Maher, Merchant, Miles, Nesselhuf, Peterson, and Turbak Berry

[HB 1213](#) **allow artisan distillers and farm wineries to sell certain distilled spirits to wholesalers and retailers.**

Representatives Krebs, Fargen, Feinstein, Hamiel, Hoffman, Kirkeby, Turbiville, and Vanderlinde and Senators Adelstein, Bradford, Dempster, and Haverly

[HB 1205](#) **prohibit and penalize certain alien employment.**

Representatives Russell, Brunner, Curd, Greenfield, Jensen, Kirkeby, Kopp, Lederman, Moser, Olson (Betty), Rausch, Rave, Steele, and Verchio and Senators Maher, Howie, and Schmidt

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

BOB FAEHN, Chair